

01/30/02 J1051 U.S. PTO

PATENT
Customer Number 22,852
Attorney Docket No. 8157.0003-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

jc997 U.S. PTO
10/058828
01/30/02

Prior Application Art Unit: 2814 Prior Application Examiner: H. Trinh

SIR: This is a request for filing a

☒ Continuation Application under 37 C.F.R. § 1.53(b) of pending prior U.S. Application No. 09/921,596, filed August 6, 2001, which is a continuation of U.S. Application No. 09/188,472, filed November 9, 1998, of Paul GILSON et al., for EMBOLIC PROTECTION DEVICE.

1. ☒ Enclosed is a complete copy of the prior application including drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior U.S. Application No. 09/188,472, as originally filed on November 9, 1998, and U.S. Application No. 09/921,596, as originally filed on August 6, 2001, the contents of both of which are incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee, including the extra claims fee, is calculated on the basis of the claims existing in the prior application as amended at 4 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	28	-	20	8	x \$18	144.00
Independent Claims	4	-	3	1	x \$84	\$ 84.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$ 968.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 968.00

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6. ☒ This application is being filed without a filing fee, extra claims fee and Declaration under the provisions of 37 C.F.R. § 1.53(f). Applicants await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fee and extra claims fee.
7. ☒ The Commissioner is hereby authorized to charge any other fees not accounted for above, with the exception of the filing fee and extra claims fee, which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☐ New formal drawings are enclosed.
9. ☒ The prior application is assigned of record to: SALVIAC Limited
10. ☒ Priority of application Serial Nos. 97 0789, filed on November 7, 1997 in Ireland, and 98 0267, filed on April 8, 1998 in Ireland, are claimed under 35 U.S.C. § 119. Certified copies
- ☐ is enclosed or ☒ are on file in the prior application.
11. ☐ Small entity status is appropriate and applies to this application.
12. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984;

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13. ☐ The power appears in the original declaration of the prior application.
14. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
16. ☐ Recognize as associate attorney _____
17. ☒ Also enclosed is an Information Disclosure Statement


PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent U.S. Application No. 09/921,596, filed August 6, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

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Dated: January 30, 2002

By: 
Roland G. McAndrews, Jr.
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